UNITED STATES DIS SOUTHERN DISTRIC	T OF NEW YORK		
LOUIS ROBERTS,		: : : :	
	Plaintiff,	:	20-CV-9694 (JMF)
-V-		:	ORDER
JUSTIN GITELIS,		· :	ORDER
	Defendant.	: : :	
		X	

JESSE M. FURMAN, United States District Judge:

On September 3, 2021, the Court ordered Plaintiff to serve Defendant via overnight courier with (1) a copy of Plaintiff's motion to strike and to enter default judgment and all supporting papers; and (2) a copy of the Court's Order within one business day of the filing of each document. *See* ECF No. 57, at 2. Additionally, the Court ordered Plaintiff to file proof of such service on the docket within two business days of service. *Id.* To date, Plaintiff has not filed proof of service of the motion to strike and to enter default judgment and all supporting papers, or a copy of the Court's September 3, 2021 Order.

In light of the forgoing, the default judgment hearing currently scheduled for October 20, 2021, at 3:45 p.m. is hereby ADJOURNED to **November 17, 2021**, at **4:30 p.m.**

Additionally, no later than **November 1, 2021**, Plaintiff shall file a supplemental brief in support of its motion to strike and to enter default judgment addressing the following:

- The legal basis for awarding Plaintiff punitive damages, *compare* ECF No. 55, at 1, *with* ECF No. 40, at 8 ("Plaintiff's demand for . . . punitive damages is barred because such damages are not recoverable or warranted in this action under New York law and the imposition of . . . punitive damages would be against public policy."), and the legal and factual justification for the amount requested (\$450,000), *see* ECF No. 55, at 1;
- The specific amount of requested prejudgment interest, the legal basis for that amount, and the justification for selecting October 7, 2020, as the date of accrual, see id.;
- Whether Plaintiff is seeking attorneys' fees in addition to "costs of th[e] action," ECF No. 55, at 1; the legal basis for seeking attorneys' fees (if any) and costs; and the specific amount of requested attorneys' fees (if any) and costs, supported by

contemporaneous billing records and other documentation as needed.

Plaintiff shall serve a copy of this Order (and, if not previously served, all prior default judgment papers) on Defendant by October 19, 2021, and shall file proof of the same by October 21, 2021. Failure to do so may result in sanctions, up to and including dismissal.

SO ORDERED.

Dated: October 18, 2021

New York, New York

United States District Judge